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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT      | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|----------------------------|------------------------|
| 10/008,377         | 11/15/2001          | Carlo Gambacorti-Passerini | 45922/241203 (5865-2)  |

### CONFIRMATION NO. 4010

00826  
ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

### FORMALITIES LETTER



\*OC000000009525376\*

Date Mailed: 02/14/2003

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

### *Filing Date Granted*

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

#### **Applicant Must Provide as part of the response:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

#### **For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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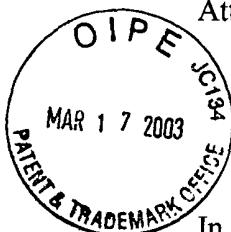
*PLW*  
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03.00  
BOX-SEC



Attorney's Docket No. 45922/241203(5865-2)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gambacorti-Passerini et al. Confirmation No.: 4010  
Appl. No.: 10/008,377 Group Art Unit: 1644  
Filed: November 15, 2001 Examiner: Ronald B. Schwadron  
For: IMMUNOGENIC ALK PEPTIDES

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES

BOX SEQUENCE  
U.S. Patent and Trademark Office  
P. O. Box 2327  
Arlington, VA 22202

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated February 14, 2003, enclosed please find the attached sequence listing and the substitute computer-readable form (CRF) submitted concurrently herewith.

The sequence listing and computer-readable form, as originally filed, were received by the US Patent and Trademark Office on November 15, 2001 at the time of filing of the application, as evidenced by the copy of the return postcard and paper sequence listing enclosed. This sequence listing has been amended to provide Application Serial Number and Filing Date, but is otherwise identical to the listing and CRF filed with the application on November 15, 2001.

It is submitted that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sequence listing do not include new matter.

In re: Gambacorti-Passerini et al.  
Appl. No. 10/008,377  
Filed: November 15, 2001  
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I hereby state that the substitute copy of the computer-readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended sequence listing.

Respectfully submitted,

*Kathryn L. Coulter*

Kathryn L. Coulter  
Agent for Applicant  
Registration No. 45,889

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| <b>CUSTOMER NO. 00826</b><br><b>ALSTON &amp; BIRD LLP</b><br>Bank of America Plaza<br>101 South Tryon Street, Suite 4000<br>Charlotte, NC 28280-4000<br>Tel Raleigh Office (919) 862-2200<br>Fax Raleigh Office (919) 862-2260 | <b>CERTIFICATE OF MAILING</b><br>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Sequence. U.S. Patent and Trademark Office, P. O. Box 2327, Arlington, VA 22202, on March 12, 2003.<br><i>Nora C. Martinez</i><br>Nora C. Martinez |
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February 11, 2003

## APPLICATION SERIAL NUMBER

**10008377**

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES. See reasons below.**

**CRF, paper copy of sequence listing and  
statement that both are same missing.**

**The sequences disclosed in the specification  
on page 15, line 14 and page 17, line 5, need  
to be in CRF and paper copy of the  
sequence listing, but are missing.**